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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,642	11/04/2003	Alex Hornig	HORN3170/EM	5376
23364	7590	03/11/2005	EXAMINER	
BACON & THOMAS, PLLC 625 SLATERS LANE FOURTH FLOOR ALEXANDRIA, VA 22314			EDGAR, RICHARD A	
			ART UNIT	PAPER NUMBER
			3745	

DATE MAILED: 03/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/699,642	Applicant(s) HORNG ET AL.	
	Examiner Richard Edgar	Art Unit 3745	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/04/2003 under 37 C.F.R. § 1.53(b).
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 6-9 is/are rejected.
- 7) ☒ Claim(s) 4 and 5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/4/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Taiwan on 19 September 2003. It is noted, however, that applicant has not filed a certified copy of the 92216912 application as required by 35 U.S.C. 119(b).

Specification

The disclosure is objected to because of the following informalities:

On page 1, line 18, the parenthesis “)” after “Unit” should be deleted.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

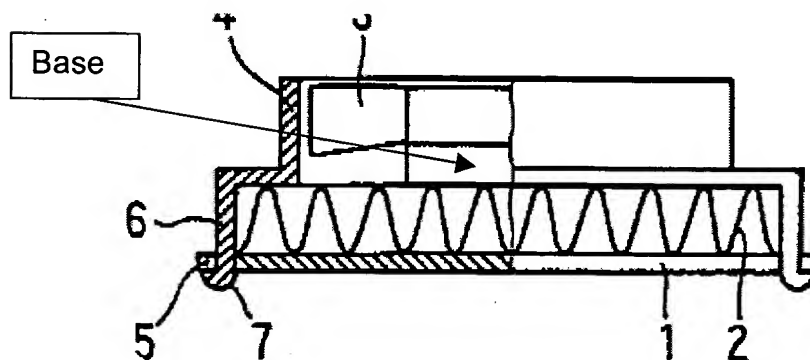
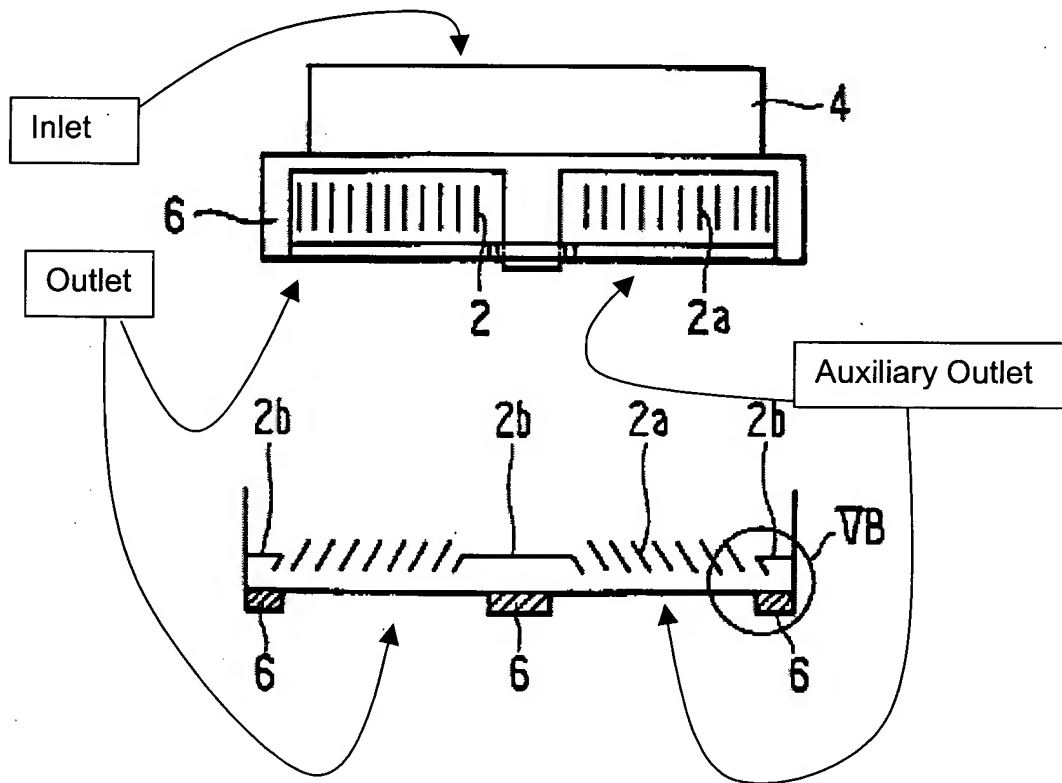
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 and 6-9 are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. 6,328,529 (Yamaguchi et al. hereinafter).

Yamaguchi et al. disclose in Figs. 3-5, an airflow guiding structure for a heat dissipation fan, comprising: a housing 4, 6 provided with an air inlet and an air outlet; a base mounted in the air outlet for supporting a fan wheel 3 which forms with a plurality of blades; at least one auxiliary air outlet formed on the housing proximate the air outlet;

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and a plurality of air guiding members 2a arranged in the air outlet and inclined to the axis (radial axis, for instance) of the housing, the auxiliary air outlet being adjacent to the guiding members; wherein when the fan wheel rotates, the guiding members deflect airflow to constitute at least two airflow directions at the air outlet and the auxiliary air outlet. See annotated Figures below.



Regarding claim 2, the outlet and auxiliary outlet are connected, as seen in Figure 3, by part of the housing 6.

With respect to claim 3, the guiding members 2a are straight.

As for claim 6, the Yamaguchi et al. reference shows a supporting rib 2b with a vertical width and axial orientation.

Regarding claim 7, the guiding members 2a, which form member 2b, constitute an inverted "V" section (see Figure 5A). Furthermore, Figure 4 shows that the examiner identified supporting base (annotated Fig. 4) is supported by the guiding members 2.

The guiding members 2a are shown regularly inclined.

Allowable Subject Matter

Claims 4 and 5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The guiding members 2a of Yamaguchi et al. are formed from a 0.1 mm bar (col. 4, lines 34-35) which is cut and bent (col. 4, lines 43-44). In the examiner's opinion, due to the relatively small thickness of the guiding members 2a, one having ordinary skill in the art would not be motivated to provide chamfers on the cut and bent end portions of the guiding members 2a since such a machining operation would drastically increase the manufacturing cost without providing a benefit to the flow

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dynamics of the Yamaguchi et al. fan. With regards to claim 5, a triangular shaped guiding member of Yamaguchi et al. would teach away from the expressed bar shaped teachings.

Cited Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 2,144,035 shows a fan outlet with airfoil shaped louvers oriented in different directions.

U.S. Patent No. 2,636,668 shows an air diffuser for a fan having a plurality of outlets formed by differently arranged louvers.

U.S. Patent No. 1,811,828 shows a fan having a V-shaped guiding member 31.

U.S. Patent No. 2,146,339 shows a fan housing with differently-angled louvers.

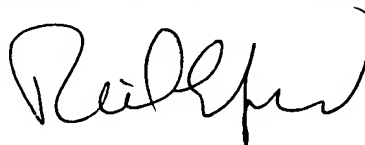
Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Edgar whose telephone number is (571) 272-4816. The examiner can normally be reached on Monday thru Friday, 8:00 am until 4:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Look can be reached on (571) 272-4820. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Richard Edgar
Examiner
Art Unit 3745

RE



EDWARD K. LOOK
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700

3/4/05